

REMARKS

Claims 1-8, 10-18, 20-28, 31-35, 39-42 and 47-90 were pending in this application when the present Office Action was mailed (June 10, 2004). Claims 1, 11, 20, 31, 32, 34, 35, 47, 51, 52, 56, 60, 61 have been amended, and claims 39-42, 55, and 64-90 have been cancelled. Accordingly, claims 1-8, 10-18, 20-28, 31-35, 47-54, and 56-63 are currently pending.

In the Office Action mailed June 10, 2004, claims 65-90 were withdrawn from consideration, and the remaining pending claims were rejected. More specifically, the status of the application in light of this Office Action is as follows:

(A) Claims 65-90 are withdrawn from consideration as being directed to method claims;

(B) Claims 34, 35, 47, 51, 52, 60 and 61 stand objected to on the basis of informalities;

(C) Claims 1-8, 10-18, 20-28 and 47-64 stand rejected under 35 U.S.C. Section 102(e) as being anticipated by U.S. Patent No. 6,099,702 to Reid et al. ("Reid");

(D) Claims 31-35 and 39-42 stand rejected under 35 U.S.C. Section 102(e) as being anticipated by U.S. Patent No. 6,391,166 to Wang ("Wang");

(E) Claims 1-5, 8, 10, 20, 22, and 24 stand rejected under 35 U.S.C. Section 103(a) as being unpatentable over U.S. Patent No. 6,416,647 Dordi et al. ("Dordi") over Reid; and

(F) Claim 34 was indicated to be allowable if amended to overcome the objections raised against the claim, and if rewritten to be independent form.

The undersigned attorney wishes to thank the Examiner for engaging in a telephone interview on August 12, 2004. During the telephone interview, the pending claims and applied references were discussed. The Examiner agreed to allow claims 1, 11, and 20 if amended to clarify that the control system is operatively coupled to the chemical delivery system of these claims. The Examiner further agreed that this

amendment is supported by the application as filed, including the specification at page 17, lines 3-8. The Examiner also indicated that claims 47 and 56 would be allowable over the applied references if amended to clarify that the first and second annular channels of these claims are in fluid communication with each other via a common outlet. The pending claims have been amended in accordance with the agreements reached between the undersigned attorney and the Examiner. The following remarks reflect the agreements reached between the undersigned attorney and the Examiner, and summarize the results of the August 12, 2004 telephone interview.

A. Response to the Withdrawal of Claims 65-90

Claims 65-90 were withdrawn by the Examiner as being directed toward methods for using an apparatus. These claims have now been cancelled, without prejudice to pursuing these claims in a divisional or other application.

B. Response to the Claim Objections

Claim 34 was rejected because the terms "spray" and "stream" were allegedly incongruous with each other. Claim 34 has been amended to be in independent form and to include the term "unsupported stream," agreed to by the Examiner during the August 12, 2004 telephone interview to overcome the objection and place the claim in condition for allowance over the applied references. Claim 34 has also been amended to delete the term "fixed." Accordingly, the objections to claim 34 should be withdrawn.

Claim 35 has been amended to depend from claim 34, and to provide consistency between terms of the two claims. Accordingly, the objection to claim 35 should be withdrawn.

Claims 47, 51, 52, 60, and 61 have been amended in the manner suggested by the Examiner in the Office Action. Accordingly, the objections to these claims should be withdrawn.

C. Response to the Section 102 Rejections Based on Reid

Claims 1-8, 10-18, 20-28 and 47-64 were rejected under 35 U.S.C. Section 102(e) as being anticipated by Reid. Independent claims 1, 11, and 20 have been

amended in a manner indicated by the Examiner to place these claims in condition for allowance over the applied references. Accordingly, the Section 102 rejections of these claims should be withdrawn. The Section 102 rejections of dependent claims 2-8, 10, 12-18 and 21-28 should be withdrawn for the foregoing reasons and for the additional features of these dependent claims.

Independent claims 47 and 56 were also amended in a manner indicated by the Examiner to place these claims in condition for allowance over the applied references. Accordingly, the Section 102 rejections of these claims should also be withdrawn. The Section 102 rejections of dependent claims 48-54 and 57-63 should be withdrawn for the foregoing reasons and for the additional features of these dependent claims. The Section 102 rejections of claims 55 and 64 are now moot, as these claims have been cancelled.

D. Response to the Section 102 Rejections Based on Wang

Claims 31-35 and 39-42 were rejected under 35 U.S.C. Section 102(e) as being anticipated by Wang. During the August 12, 2004 telephone conference, the Examiner clarified that claim 34 (which was indicated to be allowable, but was also indicated to be rejected under Section 102(e) in light of Wang) would be allowable if rewritten to be in independent form and to overcome the objections. Claim 34 has been so amended, and accordingly is in condition for allowance over the applied references. Claims 31-33 and 35 depend from claim 34 and accordingly, the Section 102 rejections of these claims should be withdrawn for the foregoing reasons and for the additional features of these dependent claims. Claims 39-42 have been cancelled and accordingly, the Section 102 rejections of these claims are now moot.

E. Response to the Section 103 Rejections

Claims 1-5, 8, 10, 20, 22 and 24 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over Dordi in view of Reid. As discussed above, independent claims 1, 11 and 20, as amended, have been indicated by the Examiner to be allowable over the applied references. Accordingly, the Section 103 rejections of claims 1 and 20 should be withdrawn for at least the foregoing reasons. Claims 2-5, 8, 10, 22 and 24 depend from either claim 1, claim 11, or claim 20. Accordingly, the Section 103

rejections of these claims should be withdrawn for the foregoing reasons and for the additional features of these dependent claims.

F. Response to the Indication of Allowable Subject Matter

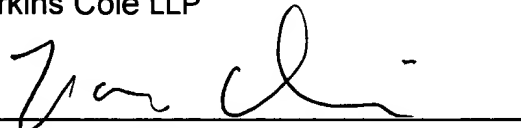
Claim 34 was indicated to be allowable if amended to overcome the objections referred to above and if rewritten to be in independent form. Claim 34 has been so amended, and accordingly, is in condition for allowance.

G. Conclusion

In view of the foregoing, the claims pending in the application comply with the requirements of 35 U.S.C. § 112 and patentably define over the applied art. A Notice of Allowance is, therefore, respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-3257.

Respectfully submitted,

Perkins Coie LLP



John M. Wechkin

Registration No. 42,216

Date: Aug 19, 2004

Correspondence Address:

Customer No. 25096
Perkins Coie LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000